



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MPR:ER
F. #2019R00927

*271 Cadman Plaza East
Brooklyn, New York 11201*

March 27, 2020

By ECF

The Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Genaro Garcia Luna
Criminal Docket No. 19-576 (BMC)

Dear Judge Cogan:

The parties respectfully submit this written status update to the Court in the above-captioned matter. In light of the Coronavirus pandemic presently affecting New York City, the parties' respectfully request that the Court adjourn this status conference for 60 days. The parties agree that an order of excludable delay is appropriate until the next status conference, based on the Court's previous complex case designation in this matter and Administrative Order 2020-06.

- Discovery – The government continues the process of collecting and reviewing discovery for production to the defendant on a rolling basis. On February 20, 2020, the government produced more than 30,000 pages of documents, including statements of the defendant, immigration records, property and school records, financial records and documents related to seizures of drugs, weapons and money. See Dkt. No. 22. The government also produced intercepted and recorded communications, and a hard drive containing information downloaded from the defendant's electronic devices. See id. The government expects to make its next production in the coming weeks. The government also is awaiting responses from outstanding subpoenas, including subpoenas to the defendant and his companies. In addition, the government has submitted Mutual Legal Assistance Treaty requests for evidence in the possession of several foreign governments, including the Government of Mexico, and the government is awaiting responses to those requests.
- CIPA – The government expects to file its motion for a pretrial conference pursuant to Section 2 of the Classified Information Procedures Act, 18 U.S.C. App. 3, §§ 1-16

(“CIPA”), in the coming days. The government is in the process of taking the necessary steps to complete CIPA litigation in this case, including the filing of any potential Section 4 motion, although it is facing delays as a result of the Coronavirus pandemic.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/
Michael P. Robotti
Ryan Harris
Erin Reid
Assistant U.S. Attorneys
(718) 254-7000

cc: Cesar de Castro, Esq.
Clerk of the Court (BMC) (by ECF)